

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

In re:	§	
	§	Chapter 11
	§	
DARYL GREG SMITH,	§	Lead Case No. 21-60162-rbk
	§	
CANADIAN RIVER RANCH, LLC	§	Second Case No. 21-60163-rbk
	§	
Jointly Administered Debtors.	§	(Jointly Administered Under
	§	Case No. 21-60162-rbk)

**DECLARATION OF KELLY HURT IN SUPPORT OF
DEBTORS' APPLICATION FOR ENTRY OF AN ORDER AUTHORIZING THE
RETENTION AND EMPLOYMENT OF LAND DOCTORS, INC. AS THE DEBTORS'
REAL ESTATE BROKER EFFECTIVE *NUNC PRO TUNC* TO THE PETITION DATE**

I, Kelly Hurt, make this Declaration pursuant to 28 U.S.C. § 1746 and state:

1. I am the founder and owner of Land Doctors, Inc. ("Land Doctors"), which has its principal place of business at 29848 County Road 1480, Allen, Oklahoma 74825. I received a bachelor's of science degree from Mississippi State University in 1993 and a Ph.D. in environmental science and forestry from Mississippi State University in 1996. I have been a licensed Oklahoma real estate broker since 2015. I can be reached at (580) 421-7512 or kelly@landdoctors.com.

2. I submit this declaration (the "Declaration") on behalf of Land Doctors in support of the *Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Land Doctors, Inc. as the Debtors' Real Estate Broker Effective Nunc Pro Tunc to the Petition Date* (the "Application"),¹ by which the above-captioned debtors and debtors in possession

¹ Capitalized terms used but not otherwise defined in this section shall have the meanings ascribed to them in the Application.

(collectively, the “Debtors”) are seeking to retain and employ Land Doctors as their real estate broker in connection with the sale of approximately 11,084 acres located in McIntosh County, Oklahoma (the “Property”). Except as otherwise indicated, I have personal knowledge of the matters set forth herein. If called to testify, I could, and would testify competently to the matters set forth herein.

3. Land Doctors was founded in 2015. Land Doctors is locally owned and operated in Oklahoma, and Land Doctors has years of experience marketing and selling farm and ranch property, such as the Property, in Oklahoma. Land Doctors sold approximately 40 such properties in 2020 and currently has approximately 18 such properties under contract for marketing and sale.

4. Keith, Julie, and the Debtors retained Land Doctors as real estate broker, pursuant to that certain *Listing Agreement – Exclusive Right to Sell*, dated August 18, 2020 (the “Listing Agreement”). The Listing Agreement provides for a standard four percent (4%) commission to Land Doctors upon the sale of the Property (the “Brokerage Fee”). The Brokerage Fee is calculated off of the total sales price of the Property and shall be paid out of the proceeds of the sale.

5. Land Doctors has surveyed the Property and prepared a promotional video of the Property, which is posted on the Land Doctors’ website.² Land Doctors has also listed the Property on the major land sites, such as Farm & Ranch Publishing, Lands of America, and LandWatch.

6. To date, Land Doctors’ efforts have garnered interest from approximately ten potential purchasers and real estate brokers, and Land Doctors has conducted approximately five showings of the Property to interested parties. Land Doctors has received one verbal offer for

² Canadian River Ranch, The Land Doctors, <https://landdoctors.com/property/canadian-river-ranch-mcintosh-oklahoma/10167/>.


the Property and is presently in discussions with a real estate broker regarding a potential written offer in the coming weeks.

7. The terms of the Listing Agreement are the product of extensive, good-faith, and arms'-length negotiations between the Keith, Julie, the Debtors, and Land Doctors (who, to the best of my knowledge, are "disinterested persons" as that term is defined under the Bankruptcy Code). I believe the Listing Agreement's terms are market and reasonable under the circumstances.

8. Other than the aforementioned Brokerage Fee, there is no proposed arrangement between the Debtors and Land Doctors for compensation to be paid in these cases.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Dated: May 18, 2021


Kelly Hurt
Owner Broker
Land Doctors, Inc.